

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

LAVERN C. FAST HORSE, *et al.*,

Petitioners,

v.

PRESIDENT JOE R. BIDEN, *et al.*,

Respondents.

Case No. 3:21-cv-00068-MMD-CLB

ORDER

This case was initiated on February 1, 2021 by Petitioners Lavern Fast Horse, Jerry Jay, Casey Johns, Keith Red Bird Garcia, Jr., and Donovan Dean Fajardo, Jr. (collectively "Petitioners"), who are individuals incarcerated at the Northern Nevada Correctional Center. On that date, the Court received from Petitioners a document entitled "Motion for Release of Illegal Incarceration." (ECF No. 1-1 ("Motion").)

Petitioners have not paid the filing fee (\$5.00 for a petition for writ of *habeas corpus*) and have not applied to proceed *in forma pauperis*.

Petitioners seek release from custody. The Court therefore construes Petitioners' Motion as a petition for writ of *habeas corpus*. The petition, however, is not on a form required by the Court. See LSR 3-1. Petitioners' Motion does not provide much of the information necessary for a petition for writ of *habeas corpus*. The Motion is largely incomprehensible. Construed as a habeas petition (or as a civil rights complaint, for that matter), Petitioners' filing is patently meritless.

It is therefore ordered that this action is dismissed without prejudice.

It is further ordered that Petitioners are denied a certificate of appealability.

///

1 The Clerk of Court is directed to send a copy of this order, and a copy of Petitioners'  
2 Motion (ECF No. 1-1), to the Attorney General of the State of Nevada. The Attorney  
3 General need not take action regarding this case.

4 The Clerk of Court is further directed to enter judgment accordingly and close this  
5 case.

6 DATED THIS 2<sup>nd</sup> Day of February 2021.

7  
8 

9  
10 

---

MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE